

MEMORANDUM

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Agenda Item No. 3(C)

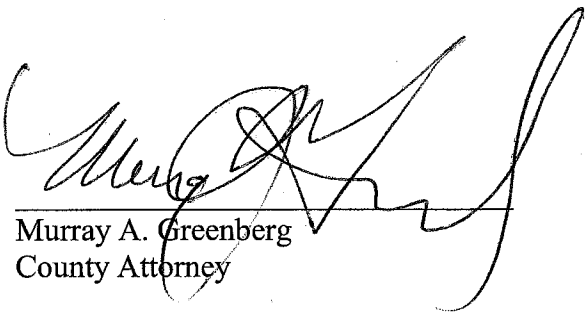
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 14, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution relating to Water
& Sewer providing billing
adjustments in the event
water is stolen from a
customer

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Katy Sorenson.


Murray A. Greenberg
County Attorney

MAG/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: December 5, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor

Agenda Item No.

Veto _____

12-5-06

Override _____

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MANAGER TO
AMEND THE MIAMI-DADE WATER AND SEWER
DEPARTMENT'S RULES AND REGULATIONS FOR WATER
AND SEWER SERVICE TO PROVIDE FOR BILLING
ADJUSTMENTS IN THE EVENT WATER IS STOLEN FROM
A CUSTOMER

WHEREAS, the Rules and Regulations of the Miami-Dade County Water and Sewer Department, as approved by the Board of County Commissioners and as codified in Miami-Dade County Administrative Order 10-8 do not allow for billing adjustments in the event water is stolen from a customer; and

WHEREAS, in the event of water theft, the owner of the property from which water is illegally diverted is therefore responsible for full payment of the resulting water and sewer billings, which may include billings for the water stolen; and

WHEREAS, the Rules and Regulations of the Miami-Dade County Water and Sewer Department provide for billing adjustments in the case of vandalism; and

WHEREAS, it is inequitable to make an owner responsible to fully pay bills, which include amounts, due for water stolen,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Manager is directed to revise the Rules and Regulations of the Miami-Dade County Water and Sewer Department to allow the Water and Sewer Department to adjust or reduce the water and sewer bills rendered to owners of property from which water has been stolen in the event such owners can document, via police report, the occurrence of such theft; these revised Rules shall be presented to this Board for approval.

The foregoing resolution was sponsored by Commissioner Katy Sorenson and offered by
Commissioner _____, who moved its adoption. The motion was seconded by
Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro
Audrey M. Edmonson
Sally A. Heyman
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Jose "Pepe" Diaz
Carlos A. Gimenez
Barbara J. Jordan
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day
of December, 2006. This resolution shall become effective ten (10) days after the date of its
adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an
override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



David M. Murray